

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RONAL-DANILO SANDOVAL-CAMPOS,

Petitioner,

-against-

HOMELAND SECURITY; EX REL.
DIRECTOR OF INS; DIRECTOR OF
CUSTOMS,

Respondents.

1:24-CV-3854 (LTS)

ORDER

LAURA TAYLOR SWAIN, Chief United States District Judge:

By order dated October 7, 2024, the Court ruled that, to the extent that Petitioner, who appears *pro se*, challenged an order of removal directing his removal from the United States of America, the court lacked jurisdiction to consider any challenge to that order. (ECF 7.) To the extent that Petitioner wished to challenge his state court conviction and/or sentence upon which he is currently in custody, however, the Court, in that order, construed his pleading as seeking *habeas corpus* relief under 28 U.S.C. § 2254, and granted Petitioner 60 days' leave to file an amended petition for such relief. (*Id.*) On January 2, 2025, the Court received a letter from Petitioner, who is currently incarcerated in the Eastern Correctional Facility. (ECF 8.) In his letter, Petitioner requests an extension of time to comply with the Court's October 7, 2024 order. (*Id.*) Petitioner's request is granted. The Court grants Petitioner an additional 30 days from the date of this order to comply with the Court's October 7, 2024 order.

If Petitioner does not file an amended petition for Section 2254 *habeas corpus* relief or requests to withdraw this action, within the additional time allowed, the Court will dismiss this action without prejudice.

Because Petitioner has not, at this time, made a substantial showing of the denial of a constitutional right, a certificate of appealability will not issue. *See* 28 U.S.C. § 2253.

The Court certifies, under 28 U.S.C. § 1915(a)(3), that any appeal from this order would not be taken in good faith and, therefore, *in forma pauperis* status is denied for the purpose of an appeal. *See Coppedge v. United States*, 369 U.S. 438, 444-45 (1962).

SO ORDERED.

Dated: January 8, 2025
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge